

1 UNITED STATES DISTRICT COURT  
2 EASTERN DISTRICT OF TENNESSEE  
3 AT GREENEVILLE  
4

5 UNITED STATES OF AMERICA,  
6

7 PLAINTIFF,  
8

9 VS

NO: 2:11-CR-81

10  
11 WILLIAM H. MCMAHAN, JR

12 ET AL,  
13

14 DEFENDANTS.  
15  
16

17 INITIAL APPEARANCE & ARRAIGNMENT  
18 HONORABLE DENNIS H. INMAN, PRESIDING  
19 AS HEARD ON SEPTEMBER 16, 2011  
20  
21  
22  
23  
24  
25

**Barringer Court Reporting**  
P.O. Box 8035, Gray, TN - 423-477-7844

## 1 APPEARANCES:

2 THE GOVERNMENT: CARYN L. HEBETS, ESQ.

3  
4 FOR DEFENDANTS:

5 BUFORD W. ROGERS: TIM S. MOORE, ESQ.

6 LEE R. SHARP: ANDREA MOHR, ESQ.

7 RICHARD H. BLACK: KARMEN .L WATERS, ESQ.

8 JOYCE A. ROBERTS: JEFFERSON B. FAIRCHILD, ESQ.

9 VICTOR L. LOVEDAY, SR.: JOSEPH W. RASNIC, ESQ.

10 DANNY L. RICHARDSON: SANDRA B. JELOVSEK, ESQ.

11 ROBBIE L. LANGFORD: J. MATTHEW BOLTON, ESQ.

12 CHARLES T. PARKER: ROBERT B. DICKERT, ESQ.

13 JAYSON D. COX: GUY W. BLACKWELL, ESQ.

14 VICTOR L. LOVEDAY, JR.: JERRY L. FABUS, ESQ.

15 GARY L. BRIDGES: CASEY A. SEARS, ESQ.

16 TERRY W. MILLER: CHARLES R. MARTIN, ESQ.

17 MELONIE A. MONTANARO: DONALD E. SPURRELL, ESQ.

18 BRANDON L. MILLER: MARK S. HANOR, ESQ.

19 RODNEY E. TULLOCK: ERIC REACH, ESQ.

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1           This cause came on to be heard on this the  
2           16th of September, 2011 in the United States District  
3           Court, Eastern District of Tennessee at Greeneville,  
4           before the Honorable Dennis H. Inman. Present and  
5           representing The Government was Ms. Caryn L. Hebets.  
6           Counsel for Defendants are present via conference call  
7           and in Courtroom. Recording not taken by Barringer  
8           Court Reporting.

9  
10           The following matters were presented,  
11           to-wit:

12  
13           CLERK: ...Victor L. Loveday, Sr., Danny L.  
14           Richardson, Robbie L. Langford, Charles T. Parker,  
15           Jayson D. Cox, Victor L. Loveday, Jr., Gary L. Bridges,  
16           Terry W. Miller, Melonie A. Montanaro, Brandon L.  
17           Miller, Rodney E. Tullock.

18           THE COURT: I'm going to try whatever they  
19           said on that. Let's just go for it.

20           CLERK: Attorneys on the phone, I'm going to  
21           try something. If you get cut off, please call back.  
22           Is everyone still there?

23           THE COURT: Swear all the Defendants.

24  
25           (DEFENDANTS WERE SWORN)

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1 THE COURT: When I call your name, please  
2 raise your hand so I know where you are, please?  
3 Buford Rodgers? Mr. Rogers, how old are you?

4 MR. ROGERS: (Inaudible).

5 THE COURT: How much education do you have?

6 MR. ROGERS: (Inaudible).

7 THE COURT: Any psychological or mental  
8 problems that could possibly interfere with your  
9 ability to understand me this morning?

10 MR. ROGERS: No.

11 THE COURT: Alright. Thank you. Lee Sharp?  
12 Mr. Sharp, how old are you, please?

13 MR. SHARP: Fifty six.

14 THE COURT: Education?

15 MR. SHARP: Eighth grade, grammar school.

16 THE COURT: Okay. Can you read and write?

17 MR. SHARP: I can write (inaudible), I can  
18 read some things.

19 THE COURT: Read some things?

20 MR. SHARP: Yes.

21 THE COURT: Got any psychological or mental  
22 problems?

23 MR. SHARP: High blood pressure.

24 THE COURT: Just high blood pressure, okay.  
25 As far as your reading and writing is concerned, as

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1 long, as far as having a conversation with me like you  
2 and I are having right now, got any problems  
3 understanding me?

4 MR. SHARP: No, I wouldn't think so.

5 THE COURT: Okay. Thank you. Richard Black?  
6 How old are you?

7 MR. BLACK: Forty five.

8 THE COURT: Education?

9 MR. BLACK: Tenth grade.

10 THE COURT: Any psychological, mental or  
11 emotional problems?

12 MR. BLACK: Yes.

13 THE COURT: What?

14 MR. BLACK: PTSD.

15 THE COURT: Okay. Do you take medication for  
16 it?

17 MR. BLACK: Yes.

18 THE COURT: What?

19 MR. BLACK: (Inaudible).

20 THE COURT: How much?

21 MR. BLACK: Prozac.

22 THE COURT: Prozac? Anything about your  
23 condition or the medication that you take for it that  
24 could possibly interfere with your ability to  
25 understand me this morning? He says no. Okay. Ms.

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1 Joyce Roberts? How old are you?

2 MS. ROBERTS: (Inaudible).

3 THE COURT: How much education?

4 MS. ROBERTS: I went to high school.

5 THE COURT: Any psychological, mental or  
6 emotional problems?

7 MS. ROBERTS: No.

8 THE COURT: Any reason that you could think  
9 of that you would not be able to understand me this  
10 morning? Alright. Victor Loveday, Sr.? Mr. Loveday,  
11 how old are you, please?

12 MR. LOVEDAY, SR.: Fifty seven.

13 THE COURT: Education?

14 MR. LOVEDAY, SR.: Sixteen.

15 THE COURT: You graduated from college?

16 MR. LOVEDAY, SR.: Senior year.

17 THE COURT: Alright. Any psychological,  
18 mental or emotional problems?

19 MR. LOVEDAY, SR.: No.

20 THE COURT: You believe you'll be able to  
21 understand me this morning?

22 MR. LOVEDAY, SR.: Yes.

23 THE COURT: Alright. Mr. Danny Richardson?  
24 How old are you, please?

25 MR. RICHARDSON: Twenty eight.

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1 THE COURT: Education?

2 MR. RICHARDSON: (Inaudible) high school.

3 THE COURT: Any psychological, mental or  
4 emotional problems?

5 MR. RICHARDSON: No.

6 THE COURT: Will you be able to understand me  
7 this morning?

8 MR. RICHARDSON: Yes, Sir.

9 THE COURT: Alright. Mr. Robbie Langford?

10 MR. LANGFORD: Yes, Sir.

11 THE COURT: How old are you?

12 MR. LANGFORD: Thirty.

13 THE COURT: Education?

14 MR. LANGFORD: Twelve.

15 THE COURT: Any psychological, mental or  
16 emotional problems of any kind?

17 MR. LANGFORD: No, Sir.

18 THE COURT: Alright. Mr. Charles Parker?  
19 How old are you?

20 MR. PARKER: Thirty five.

21 THE COURT: Education?

22 MR. PARKER: Eleven.

23 THE COURT: Any psychological, mental or  
24 emotion problems in your history?

25 MR. PARKER: No, Sir.

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1 THE COURT: Will you be able to understand me  
2 this morning alright?

3 MR. PARKER: Yes, Sir.

4 THE COURT: Alright. Jayson Cox? How old  
5 are you?

6 MR. COX: Thirty five.

7 THE COURT: How much education do you have?

8 MR. COX: High school diploma.

9 THE COURT: Okay. Any psychological, mental  
10 or emotional problems?

11 MR. COX: No, Sir.

12 THE COURT: Think you'll be able to  
13 understand me this morning?

14 MR. COX: Yes, Sir.

15 THE COURT: Mr. Loveday, Jr.? How old are  
16 you?

17 MR. LOVEDAY, JR.: Thirty one.

18 THE COURT: How much education do you have?

19 MR. LOVEDAY, JR.: GED.

20 THE COURT: Alright. Any psychological,  
21 mental or emotional problems?

22 MR. LOVEDAY, JR.: No, Sir.

23 THE COURT: Alright. Mr. Gary Bridges? How  
24 old are you?

25 MR. BRIDGES: Fifty one.

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1 THE COURT: How much education?

2 MR. BRIDGES: Seventh grade.

3 THE COURT: Okay. Can you read and write  
4 okay?

5 MR. BRIDGES: Fair.

6 THE COURT: Fair? Got any psychological,  
7 mental problems?

8 MR. BRIDGES: No.

9 THE COURT: Alright. As far as having a  
10 conversation, listening to people explain things like  
11 I'm hopefully going to explain to all of you here in a  
12 few minutes what you're charged with and what the  
13 punishment could be and rights you have, you think  
14 you'll be able to understand all that?

15 MR. BRIDGES: Yes.

16 THE COURT: Understand all that alright?

17 MR. BRIDGES: Yes.

18 THE COURT: Alright. Mr. Terry Miller? How  
19 old are you?

20 MR. T. MILLER: Fifty seven.

21 THE COURT: How much education?

22 MR. T. MILLER: Twelve.

23 THE COURT: Any psychological, mental or  
24 emotional problems?

25 MR. T. MILLER: No.

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1 THE COURT: Will you be able to understand me  
2 this morning?

3 MR. T. MILLER: Yes.

4 THE COURT: Alright. Ms. Melonie Montanaro?

5 MS. MONTANARO: Yes, Sir.

6 THE COURT: How old are you?

7 MS. MONTANARO: Twenty five.

8 THE COURT: How much education?

9 MS. MONTANARO: Graduated high school.

10 THE COURT: Psychological, mental or  
11 emotional problems?

12 MS. MONTANARO: No, Sir.

13 THE COURT: Will you be able to understand me  
14 this morning?

15 MS. MONTANARO: Yes, Sir.

16 THE COURT: Mr. Brandon Miller?

17 MR. B. MILLER: Yes, Sir.

18 THE COURT: How old are you?

19 MR. B. MILLER: Twenty five.

20 THE COURT: How much education do you have?

21 MR. B. MILLER: Graduated high school.

22 THE COURT: Any psychological, mental or  
23 emotional problems?

24 MR. B. MILLER: No.

25 THE COURT: Will you be able to understand me

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1 this morning?

2 MR. B. MILLER: Yes, Sir.

3 THE COURT: Mr. Tullock?

4 MR. TULLOCK: Yes, Sir.

5 THE COURT: How old are you?

6 MR. TULLOCK: Forty five.

7 THE COURT: How much education?

8 MR. TULLOCK: Ninth.

9 THE COURT: Any psychological, mental or  
10 emotional problems?

11 MR. TULLOCK: No.

12 THE COURT: Where did you grow up?

13 MR. TULLOCK: Right here in Greene County.

14 THE COURT: Greene County? Alright. All of  
15 you have been indicted by a Federal Grand Jury and  
16 charged with certain Federal crimes. Right now in a  
17 minute I am going to go over what you are charged with  
18 and tell you what the punishment could be if you were  
19 convicted on any of these charges. I want each of you  
20 to remember that you do have a Constitutional Right to  
21 remain silent. The Government must prove that you are  
22 guilty and in fact prove that you are guilty beyond a  
23 reasonable doubt. You do not have to prove that you  
24 are innocent which means that you can rely upon your  
25 right to remain silent and The Government has got to

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1       prove you are guilty with what proof it can muster and  
2       put together without you having to help The Government.  
3       Of course, you also need to recall that if you give up  
4       that Constitutional Right to remain silent and if you  
5       talk about the charges, either intentionally or because  
6       you blurt something out unthinkingly, it is perfectly  
7       permissible for The Government to use what you say  
8       against you as part of it's proof as it tries to prove  
9       that you are guilty. My best suggestion to you is that  
10      before you talk about the charges you always talk to  
11      your lawyer beforehand and get his or her advice. So  
12      with that said, here we go. Several of these counts  
13      charge the people named in those counts with a  
14      conspiracy. A conspiracy is a plan or an agreement  
15      between two or more people to commit a crime. It is a  
16      plan to commit a crime. This is what the first count  
17      charges. This count says that between January of '03  
18      up through September the 13th, 2011 the following  
19      people conspired among themselves to distribute and to  
20      possess with the intent to distribute 1,000 kilograms  
21      or more of marijuana. Those people are Mr. William  
22      McMahan, Buford Rogers, Lee Sharp, Rodney Settles,  
23      Audrey Jinks, Richard Black, Joyce Roberts, Victor  
24      Loveday, Danny Richardson, Robbie Langford, Charles  
25      Parker, Dallas Parsley, Billy Gibson, Jayson Cox and

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1 Victor Loveday, Jr. The punishment if you are  
2 convicted is a minimum and mandatory ten years in the  
3 penitentiary, up to and possibility of the rest of your  
4 life, a \$10,000,000.00 fine and five years on  
5 supervised release. Count two as far as the people  
6 here are concerned charges Mr. Sharp, what's the status  
7 of the remaining Defendants?

8 MS. HEBETS: Your Honor, there are several  
9 Defendants who have not yet been arrested.

10 THE COURT: And aren't in custody some place?

11 MS. HEBETS: There is one who is not arrested  
12 and not in custody some place.

13 THE COURT: Alright. Mr. Bridges, Mr. Sharp,  
14 I think that's all, conspired between January 1st, 2004  
15 and September the 13th, 2011 to distribute and to  
16 possess with the intent to distribute five kilograms or  
17 more of cocaine. The punishment for that is minimum  
18 mandatory ten years in the penitentiary up to a  
19 possibility of life, a \$10,000,000.00 fine and five  
20 years on supervised release. Count three applies to  
21 Mr. Tullock, Mr. Miller, Ms. Montanaro, Mr. Terry  
22 Miller as far as the people here are concerned. This  
23 count charges the people I just named with conspiring  
24 to distribute and possess with the intent to distribute  
25 oxycodone. Punishment upon conviction of count three

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1 is up to 20 years and \$1,000,000.00 fine and three  
2 years on supervised release. Count four applies to Mr.  
3 Sharp, Mr. Bridges and Mr. Parker. Once again it is a  
4 conspiracy count, this count charges that between  
5 January '09 and September the 13th of '11 the people I  
6 just named conspired among themselves to conduct,  
7 attempt to conduct financial transactions affecting  
8 interstate commerce. Those transactions involved the  
9 proceeds of unlawful activity, mainly the conspiracies  
10 to distribute 1,000 kilos of marijuana and five kilos  
11 or more of cocaine and that those transactions were  
12 conducted knowing that the property involved in those  
13 transactions represented the proceeds of the unlawful  
14 activity. That is a long way of saying that you are  
15 charged with conspiring to launder money. Punishment  
16 upon conviction of that count is up to a maximum of 20  
17 years in prison, a half million dollar fine or twice  
18 the amount of the money involved in the transactions,  
19 whichever is greater and three years on supervised  
20 release. Count four applies to Mr. Loveday, Jr. Mr.  
21 Loveday, this count says that on May the 4th, 2009 that  
22 you distributed some amount of marijuana. Punishment  
23 for that is up to five years and a quarter million  
24 dollar fine and two years on supervised release. Count  
25 six, Mr. Loveday, Jr. says that you did the same thing

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1 but on another date, May the 6th, 2009. Punishment is  
2 the same. Count seven, Mr. Loveday, Jr. says that you  
3 did the same thing two days later on May the 8th of  
4 '09, punishment is the same. Count eight applies to  
5 Mr. Loveday, Sr. This count alleges that on July the  
6 24th, Mr. Loveday, Sr. distributed some amount of  
7 marijuana. Punishment is up to five years and a  
8 quarter million dollar fine and two years on supervised  
9 release. Count nine, Mr. Loveday, Sr., says that you  
10 did the same thing on August the 5th of '09, punishment  
11 is the same. Ten does not apply to anyone here, count  
12 11, no. Count 12, Mr. Langford, applies to you, it  
13 says that on October the 15th of '09 that you  
14 distributed some amount of marijuana. The punishment  
15 is up to five years, quarter million dollar fine, two  
16 years on supervised release. Count 14 applies to  
17 Richard Black. Mr. Black, this count says that on  
18 November 4th of '09 that you possessed marijuana with  
19 the ultimate intent to distribute that marijuana. The  
20 punishment is up a maximum of five years, quarter  
21 million dollar fine and two years on supervised  
22 release. Count 15 applies to Danny Richardson. This  
23 count says that on November the 4th of '09 that Mr.  
24 Richardson possessed some amount of marijuana with the  
25 intent to distribute it. The punishment again is up to

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1 five years, quarter million dollar fine and two years  
2 on supervised release. Count 16 applies to Robbie  
3 Langford. It alleges that on December the 30th of '09  
4 that Mr. Langford distributed some amount of marijuana.  
5 The punishment is up to five years, quarter million  
6 dollar fine and two years supervised release. Count 17  
7 applies to Jayson Cox. This count alleges that on  
8 January that 31st of 2010 that Mr. Cox distributed some  
9 amount of marijuana, punishment is up to five years and  
10 a quarter million dollar fine and two years on  
11 supervised release. Count 18 applies to Mr. Charles  
12 Parker which alleges that on March the 15th, 2010, Mr.  
13 Parker distributed some amount of marijuana, punishment  
14 is up to five years and quarter million in fines and  
15 two years on supervised release. Nineteen applies to  
16 Mr. Richard Black. It alleges that Mr. Black  
17 distributed, excuse me, possessed some amount of  
18 marijuana with the intent to distribute it on March the  
19 15th, 2010. Punishment is up to five, quarter million  
20 in fines, two years on supervised release. Count 20  
21 applies to Mr. Richardson, it says that on March 15th,  
22 Mr. Richardson possessed some amount of marijuana with  
23 the intent to distribute it on March the 15th, 2010.  
24 Count 21 applies to Mr. Tullock. This count says that  
25 on April 21, 2010 that Mr. Tullock possessed some

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1 amount of oxycodone with the intent to distribute it,  
2 punishment upon conviction, Mr. Tullock, is up to a  
3 maximum of 20 years and \$1,000,000.00 fine and three  
4 years on supervised release. Mr. Sharp, count 22  
5 applies to you. It says that on April the 26th, 2010  
6 that you distributed 500 or more grams of cocaine.

7 MS. HEBETS: Your Honor, count 22 also  
8 applies to Mr. Bridges.

9 THE COURT: Thank you, and Mr. Bridges, so  
10 Mr. Sharp and Bridges, 500 grams or more of cocaine, if  
11 you are convicted, Mr. Sharp and Mr. Bridges, the  
12 punishment is a minimum and mandatory of five years up  
13 to a possible maximum of 40 years, a \$5,000,000.00 fine  
14 and three years on supervised release. Mr. Rogers,  
15 count 24 applies to you. It says that on November the  
16 30th, 2010 that you distributed some amount of  
17 marijuana, punishment is up to five years, quarter  
18 million dollar fine and two years on supervised  
19 release. Mr. Rogers, count 25 applies to you and  
20 charges you with the same thing except it said you  
21 distributed, it does not excuse me. It says that on  
22 May the 1st, 2010 that you possessed with the intent to  
23 distribute 100 kilograms or more of marijuana.  
24 (Inaudible) punishment on that.

25 MS. HEBETS: Your Honor, it's a minimum of

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1 five years, up to 40, \$5,000,000.00 fine and supervised  
2 release for at least four years.

3 THE COURT: Cheat sheet is wrong there.  
4 Okay. Mr. Rogers, May 1st, 2010 so says count 25, you  
5 possessed 100 kilos or more of marijuana with the  
6 intent to distribute it. If you are convicted the  
7 punishment is a minimum mandatory five years up to a  
8 possible maximum of 40, \$5,000,000.00 in fines and four  
9 years on supervised release. Mr. Miller, Brandon  
10 Miller, count 43 applies to you, it says that on  
11 November the 12th of 2010 that you possessed some  
12 oxycodone with the intent to distribute it. Punishment  
13 for that is up to a maximum of 20 years, a  
14 \$1,000,000.00 fine and three years on supervised  
15 release. Is that it?

16 MR. HEBETS: Yes, Your Honor.

17 THE COURT: Now then, Defendants, anyone got  
18 any question about what any one of you is charged with  
19 and what the punishment could be if convicted? You and  
20 your attorneys can go over this in more detail at your  
21 leisure, of course, but I will be happy to answer any  
22 questions any of you have now if in fact you have any.  
23 Alright. Let's talk about lawyers. Mr. Rogers, do you  
24 want a lawyer?

25 MR. ROGERS: Yes.

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1 THE COURT: Can you afford one yourself?

2 MR. ROGERS: Not at the present time,  
3 possibly I could later.

4 THE COURT: Well, what's different about  
5 later from now?

6 MR. ROGERS: My wife could borrow money for  
7 me to get a lawyer.

8 THE COURT: Okay. Well, Mr. Rogers, let me  
9 make a suggestion to you? You need a lawyer now and  
10 whether or not your wife can borrow the money necessary  
11 for you to hire a lawyer is, who knows. It's my  
12 suggestion to you that you allow me to appoint a lawyer  
13 for you now and if later your wife is able to hire a  
14 lawyer that lawyer can take the place of the lawyer I  
15 appoint, does that suit you?

16 MR. ROGERS: Yes, Sir.

17 THE COURT: Mr. Rogers, is this financial  
18 Affidavit you filled out a while ago correct?

19 MR. ROGERS: Close.

20 THE COURT: Well, like the old joke says,  
21 that only applies in hand grenades. What, what's not  
22 accurate about it?

23 MR. ROGERS: (Inaudible).

24 THE COURT: Okay. Other than that variance  
25 it's accurate?

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1 MR. ROGERS: (Inaudible).

2 THE COURT: Alright. Mr. Rogers, I'm  
3 appointing the Federal Defender to represent you,  
4 that's Mr. Tim Moore who is one of the Federal  
5 Defenders here in Greeneville. Mr. Sharp, I'm advised  
6 that you've hired a lawyer?

7 MR. SHARP: (Inaudible).

8 MS. MOHR: (Inaudible), my name is Andrea  
9 Mohr an associate of his office.

10 THE COURT: Mr. Greg Isaacs should be...?

11 MS. MOHR: He actually had a conflict with a  
12 case that was...

13 THE COURT: That's not a problem, but he  
14 should be entered as Attorney on record?

15 MS. MOHR: Yes.

16 THE COURT: That will be fine, thank you.

17 MS. MOHR: Thank you.

18 THE COURT: Mr. Black, do you want a lawyer?

19 MR. BLACK: Yes, Sir.

20 THE COURT: Can you afford one? Is this  
21 financial Affidavit you filled out correct?

22 MR. BLACK: Yes.

23 THE COURT: Okay. All of these lawyers that  
24 I will be appointing, and I'm talking to all Defendants  
25 now, are members of the Criminal Justice Act CJA Panel

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1 of this Court. Meaning that they have been approved by  
2 the Judges of this Court to represent Defendants  
3 charged in Federal Court with Federal crimes. Ms.  
4 Karmen Waters is one of those lawyers. Is Karmen here  
5 or is she on the phone?

6 MS. WATERS: Yes, I'm here. I can hear you,  
7 Your Honor.

8 THE COURT: You're virtually here?

9 MS. WATERS: I'm virtually there.

10 THE COURT: Okay. Mr. Black, Ms. Karmen  
11 Waters is your attorney. She's on the telephone  
12 listening. Ms. Roberts, do you want a lawyer?

13 MS. ROBERTS: Yes.

14 THE COURT: Can you afford one?

15 MS. ROBERTS: No.

16 THE COURT: Do you want me to appoint one for  
17 you? Is your financial Affidavit correct?

18 MS. ROBERTS: Yes, Sir.

19 THE COURT: You married?

20 MS. ROBERTS: No, Sir.

21 THE COURT: Single? This house in Newport,  
22 are you the sole owner of it?

23 MS. ROBERTS: Yes.

24 THE COURT: And it has, the outstanding  
25 mortgage against it is \$26,000.00?

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1 MS. ROBERTS: Yes.

2 THE COURT: Okay. Alright. Ms. Roberts,  
3 here is, you're one of those folks that I have to deal  
4 with every once in a while that present a problem.  
5 You've got assets with which to pay a lawyer. You've  
6 got close to \$50,000.00 in equity in that house in  
7 Newport, trouble is it's not liquid, you can't get at  
8 it. It's tied up in the house and you have no cash  
9 assets. So what I propose doing, Ms. Roberts, I will  
10 appoint a CJA Panel lawyer for you but I also will  
11 impose a lien on your property there in Newport that  
12 will be used, liquidated if necessary, to defray wholly  
13 or in part the cost of your CJA lawyer. You've got too  
14 much property, Ms. Roberts, for the tax payers to pay  
15 for the cost of your Defense. Do you understand what  
16 I'm going to do?

17 MS. ROBERTS: Yes.

18 THE COURT: You're attorney is Mr. Jefferson  
19 Fairchild, his office is in Rogersville. Mr.  
20 Fairchild, are you on the phone with us?

21 MR. FAIRCHILD: Yes, Your Honor.

22 THE COURT: Alright. Mr. Loveday, do you  
23 want a lawyer?

24 MR. LOVEDAY, SR.: Yes.

25 THE COURT: Can you afford one?

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1 MR. LOVEDAY, SR.: No.

2 THE COURT: Is your financial Affidavit  
3 correct?

4 MR. LOVEDAY, SR.: Yes.

5 THE COURT: Well, deja vu all over again.  
6 You own property over there in Cocke County with your  
7 sister?

8 MR. LOVEDAY, SR.: Blount County.

9 THE COURT: Blount County? How many acres?

10 MR. LOVEDAY, SR.: (Inaudible).

11 THE COURT: It has a house on it?

12 MR. LOVEDAY, SR.: Yes.

13 THE COURT: You figure it's worth \$75,000.00?

14 MR. LOVEDAY, SR.: (Inaudible).

15 THE COURT: You and your sister inherit it?

16 MR. LOVEDAY, SR.: Yes.

17 THE COURT: No mortgage on it?

18 MR. LOVEDAY, SR.: No, Sir.

19 THE COURT: Okay. Mr. Loveday, I propose  
20 doing the same thing with respect to your interest in  
21 that property that I talked to Ms. Roberts about. I'll  
22 appoint a lawyer for you but I'm also going to impress  
23 a lien on your interest on that property over there to  
24 at least defray the cost of your Court appointed  
25 counsel.

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1 MR. LOVEDAY, SR.: (Inaudible) property bond.

2 THE COURT: Property bond?

3 MR. LOVEDAY, SR.: Yes.

4 THE COURT: You talking about a bail bond?

5 MR. LOVEDAY, SR.: Yes.

6 THE COURT: State Court?

7 MR. LOVEDAY, SR.: Yes.

8 THE COURT: Well...

9 MR. LOVEDAY, SR.: (Inaudible).

10 THE COURT: Mr. Rasnic?

11 MR. RASNIC: Yes, Sir.

12 THE COURT: You there?

13 MR. RASNIC: I'm here, Your Honor.

14 THE COURT: Okay. I'm going, you're  
15 appointed to represent Mr. Loveday, Sr. You heard what  
16 I said about impressing a lien on the property,  
17 correct?

18 MR. RASNIC: Yes, Sir. I did.

19 THE COURT: Mr. Richardson?

20 MR. RICHARDSON: Yes, Sir.

21 THE COURT: Do you want a lawyer?

22 MR. RICHARDSON: Yes, Sir.

23 THE COURT: Can you afford one? I this  
24 financial Affidavit correct? Ms. Jelovsek, are you on  
25 the phone with us?

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1 MS. JELOVSEK: Yes, Sir. I am.

2 THE COURT: Alright. Ms. Jelovsek, you're  
3 appointed to represent Mr. Richardson. Let's see,  
4 let's back up here just a moment for the sake of the  
5 lawyers. Marshals, where is Mr. Rogers going to be  
6 housed? The lawyers are going to want to know. What  
7 about Mr. Sharp?

8 MARSHAL: Greene County, Your Honor.

9 THE COURT: Are all of them Greene County?

10 MARSHAL: No, Sir. The ones in the solid  
11 blue or the stripes are Greene County. Everybody else  
12 is Washington County.

13 THE COURT: Okay. Let's say it out loud  
14 because we got people that can't see including me.  
15 Richard Black?

16 MARSHAL: Washington.

17 THE COURT: Washington. Joyce Roberts?

18 MARSHAL: Greene.

19 THE COURT: Greene County. Victor Loveday,  
20 Sr.?

21 MARSHAL: Washington.

22 THE COURT: And Mr. Danny Richardson?

23 MARSHAL: Greene.

24 THE COURT: Greene County. Okay. Thank you.  
25 That brings us to Mr. Robbie Langford, Mr. Langford, do

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1       you want a lawyer? Can you afford one?

2               MR. LANGFORD: (Inaudible).

3               THE COURT: Well, you're perfectly entitled  
4       to do that but like I told Mr. Rogers at the outset,  
5       could I respectfully suggest to you that you allow me  
6       to appoint a lawyer for you now. If you hire one later  
7       then...

8               MR. LANGFORD: Yes, Sir.

9               THE COURT: Okay. Is your financial  
10      Affidavit correct?

11              MR. LANGFORD: Yes, Sir.

12              THE COURT: Where is Mr. Langford housed?

13              MARSHAL: Greene County.

14              THE COURT: Greene County, thank you. Oh,  
15      and I appointed Mr. Bolton to represent you, Mr.  
16      Langford, I'm sorry. Mr. Bolton, are you on the phone?

17              MR. BOLTON: I am.

18              THE COURT: Okay. Did you hear that about  
19      him being housed in Greene County?

20              MR. BOLTON: Yes, Sir. I do.

21              THE COURT: Mr. Parker, do you want a lawyer?

22              MR. PARKER: Yes, Sir.

23              THE COURT: Can you afford one? Alright. Is  
24      your financial Affidavit correct? I'm appointing Mr.  
25      Robert Dickert to represent you. And where is Mr.

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1 Parker residing?

2 MARSHAL: Greene County.

3 THE COURT: Greene County. Mr. Dickert, are  
4 you with us?

5 MR. DICKERT: Yes, Sir.

6 THE COURT: Oh, he's present. Where are you?

7 MR. DICKERT: Right here.

8 THE COURT: Okay. Got you. Alright. Mr.  
9 Cox, do you want a lawyer?

10 MR. COX: Yes, Sir.

11 THE COURT: Can you afford one?

12 MR. COX: No, Sir.

13 THE COURT: Is your financial Affidavit  
14 correct?

15 MR. COX: Yes, Sir.

16 THE COURT: Okay. I'm appointing Mr. Guy  
17 Blackwell and I think he is on the telephone, are you  
18 not, Mr. Blackwell?

19 MR. BLACKWELL: I am, Your Honor, good  
20 morning.

21 THE COURT: Good morning. And where is Mr.  
22 Cox housed?

23 MARSHAL: Washington.

24 THE COURT: Washington, your lucky day Guy  
25 Blackwell.

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1 MR. BLACKWELL: Yes, Sir.

2 THE COURT: Mr. Victor Loveday, Jr., do you  
3 want a lawyer?

4 MR. LOVEDAY, JR.: Yes, Sir.

5 THE COURT: Where are you? I've lost you  
6 again, there you are. Can you afford one yourself?

7 MR. LOVEDAY, JR.: No, Sir.

8 THE COURT: Is your financial Affidavit  
9 correct?

10 MR. LOVEDAY, JR.: Yes, Sir.

11 THE COURT: Mr. Loveday, I'm appointing Mr.  
12 Jerry Fabus to represent you. Is Jerry on the phone?  
13 No, he's here. There he is. Dave (inaudible), are you  
14 on the phone? That answers that question, okay. Okay.  
15 Mr. Bridges, do you want a lawyer?

16 MR. BRIDGES: Yes, Sir.

17 THE COURT: Can you afford one yourself?

18 MR. BRIDGES: No, Sir.

19 THE COURT: Is your Affidavit correct?

20 MR. BRIDGES: Yes, Sir.

21 THE COURT: Mr. Sears, I think you're in the  
22 Courtroom, aren't you? There he is. That's your  
23 lawyer, Mr. Casey Sears. And where is Mr. Bridges  
24 housed?

25 MARSHAL: Washington.

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1 THE COURT: Terry Miller, do you want a  
2 lawyer?

3 MR. T. MILLER: Yes, Sir.

4 THE COURT: Can you afford one?

5 MR. T. MILLER: No.

6 THE COURT: Do you want me to appoint a  
7 lawyer for you? Is your Affidavit correct?

8 MR. T. MILLER: yes.

9 THE COURT: Charles Martin is on the  
10 telephone, I believe, is that right?

11 MR. MARTIN: That is correct, Your Honor.

12 THE COURT: Okay. Mr. Charles Martin is your  
13 attorney Mr. Miller. Where is Mr. Miller?

14 MARSHAL: Washington.

15 THE COURT: Washington County, thank you.

16 MR. MARTIN: Thank you, Your Honor.

17 THE COURT: Ms. Montanaro?

18 MS. MONTANARO: Yes, Sir.

19 THE COURT: Do you want a lawyer?

20 MS. MONTANARO: Yes, Sir.

21 THE COURT: Can you afford one?

22 MS. MONTANARO: No, Sir.

23 THE COURT: I've got a sticky note that says,  
24 "Retained," where did that come from?

25 CLERK: (Inaudible).

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1 MS. HEBETS: Your Honor, I had a call from  
2 Dillard (phonetically), and Tom Dillard's law office in  
3 Knoxville asking for information about Ms. Montanaro  
4 and indicating that he was going to represent her.  
5 But...

6 THE COURT: Do you know anything about Mr.  
7 Ton Dillard?

8 MR. MONTANARO: Yes, my mother called him but  
9 I didn't know if she got ahold of him so that's why I  
10 didn't...

11 THE COURT: Officer Dedrick says no, the  
12 eternal pessimist.

13 OFFICER DEDRICK: I'm sorry, I talked to the  
14 mother and she has not retained Mr. Dillard. She was  
15 checking prices with other attorneys to see about the  
16 cost. And I suggested that she allow a Court appointed  
17 attorney, Ms. Montanaro does not have (inaudible)...

18 THE COURT: Thank you very much. (Inaudible)  
19 help from the grave. Don Spurrell, are you there?

20 MR. SPURRELL: I am, Your Honor.

21 THE COURT: I appoint you to represent Ms.  
22 Montanaro.

23 MR. SPURRELL: Yes, Sir.

24 THE COURT: And where is Ms. Montanaro,  
25 Marshal?

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1 MARSHAL: Greene County.

2 THE COURT: Greene County, Mr. Spurrell.

3 MR. SPURRELL: Thank you.

4 THE COURT: You're welcome. Okay. Mr.  
5 Brandon Miller, do you want a lawyer?

6 MR. B. MILLER: Yes, Sir.

7 THE COURT: Can you afford one?

8 MR. B. MILLER: No, Sir.

9 THE COURT: Is your financial Affidavit  
10 correct?

11 MR. B. MILLER: Yes, Sir.

12 THE COURT: Mr. Hanor, where are you? There  
13 he is. Mr. Mark Hanor is your lawyer. And Mr.  
14 Tullock, do you want a lawyer?

15 MR. TULLOCK: Yes, Sir.

16 THE COURT: You're a truck driver?

17 MR. TULLOCK: Yes, Sir.

18 THE COURT: Well, it looks like by, Mr.  
19 Tullock, at the end of the month after payment of your  
20 medical bills and loans and credit bills, you got any  
21 money left?

22 MR. TULLOCK: At the end of the month after I  
23 made all my payments?

24 THE COURT: Yes.

25 MR. TULLOCK: A little bit.

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1 THE COURT: What's a little bit?

2 MR. TULLOCK: (Inaudible).

3 THE COURT: I think you qualify Mr. Tullock.  
4 You earn a pretty nice living but you also, what's your  
5 medical bills total? I know you say you pay about  
6 \$1,300.00 a month on them but what's your best estimate  
7 of the total amount?

8 MR. TULLOCK: (Inaudible).

9 THE COURT: Is that all? This says \$1,300.00  
10 a month...

11 MR. TULLOCK: (Inaudible).

12 THE COURT: Oh, you have to go every month,  
13 month in month out?

14 MR. TULLOCK: (Inaudible).

15 THE COURT: Alright. Well, Mr. Reach?

16 MR. REACH: Yes, Your Honor, I'm here.

17 THE COURT: Mr. Eric Reach is your lawyer Mr.  
18 Tullock and where is Mr. Tullcok?

19 MARSHALL: Greene County.

20 THE COURT: Greene County. Alright. Let's  
21 see, I should have done this as we did this and I  
22 didn't. I apologize, we're going to have to do it now.  
23 Mr. Moore, would you please enter a plea on behalf of  
24 Mr. Rogers?

25 MR. MOORE: Not guilty, Your Honor.

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1 THE COURT: Ms. Mohr, on behalf of Mr. Sharp?

2 MS. MOHR: Not guilty, Your Honor.

3 THE COURT: Ms. Waters on behalf of Mr.

4 Black?

5 MS. WATERS: Not guilty, Your Honor.

6 THE COURT: Mr. Fairchild on behalf of Ms.

7 Roberts?

8 MR. FAIRCHILD: Not guilty, Your Honor.

9 THE COURT: Mr. Rasnic on behalf of Mr.

10 Loveday, Sr.?

11 MR. RASNIC: Not guilty, Your Honor.

12 THE COURT: Ms. Jelovsek on behalf of Mr.

13 Richardson?

14 MS. JELOVSEK: Not guilty, Your Honor.

15 THE COURT: Mr. Bolton on behalf of Mr.

16 Langford?

17 MR. BOLTON: Not guilty, Your Honor.

18 THE COURT: Mr. Dickert on behalf of Mr.

19 Parker?

20 MR. DICKERT: Not guilty.

21 THE COURT: Mr. Blackwell on behalf of Mr.

22 Cox?

23 MR. BLACKWELL: Your Honor, not guilty.

24 THE COURT: Thank you. Mr. Fabus on behalf

25 of Mr. Loveday, Jr.?

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1 MR. FABUS: Not guilty, Your Honor.

2 THE COURT: Mr. Sears on behalf of Mr.  
3 Bridges?

4 MR. SEARS: Not guilty, Your Honor.

5 THE COURT: Mr. Martin on behalf of Mr.  
6 Miller?

7 MR. MARTIN: Not guilty, Your Honor.

8 THE COURT: Okay. Mr. Spurrell on behalf of  
9 Ms. Montanaro?

10 MR. SPURRELL: Not guilty.

11 THE COURT: Thank you. Mr. Hanor on behalf  
12 of Mr. Miller?

13 MR. HANOR: Not guilty, Your Honor.

14 THE COURT: Mr. Reach on behalf of Mr.  
15 Tullock?

16 MR. REACH: Not guilty, Your Honor.

17 THE COURT: Okay, lawyers, we still, as you  
18 heard Ms. Hebets say a moment ago, there's a few people  
19 out, some of them on (inaudible). They won't be here  
20 for a spell. There is absolutely, it would be a  
21 pointless exercise to set any dates under those  
22 circumstances since they would be promptly undone as  
23 each new Defendant successively appears. So we will  
24 not set any dates until the last one appears which I  
25 hope is in fairly short order. Next issue, of course,

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1 is The Government's position regarding Pre-Trial  
2 release or Pre-Trial detention with respect to each  
3 Defendant. Ms. Hebets, what's your position?

4 MS. HEBETS: Your Honor, The United States is  
5 requesting detention for each of the Defendants present  
6 in Court today.

7 THE COURT: Based on the presumption?

8 MS. HEBETS: Yes, Your Honor.

9 THE COURT: Ms. Hebets, in your opinion, how  
10 many can we handle at one sitting?

11 MS. HEBETS: It depends on how long you want  
12 to sit.

13 THE COURT: I asked for it, I got it. Is  
14 three or four per Hearing reasonable?

15 MS. HEBETS: That's what I was thinking, Your  
16 Honor, three or four would be a good way to break this  
17 up.

18 THE COURT: Okay. Okay. And doing three or  
19 four how long do you think they would take? I'm just  
20 asking you for your best guess, that's all?

21 MS. HEBETS: An hour and a half, two hours  
22 for three or four.

23 THE COURT: Okay. Let's err on the liberal  
24 side, two hours. Okay. Lawyers, let me look to see?  
25 I have Monday available, Ms. Hebets, can you, I know

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1        what Monday does to the US Attorney's Office but I may  
2        need somebody to help me out here.

3                MS. HEBETS: I will see if I can find  
4        somebody. I'm in Court with Judge Jordan almost all  
5        day on Monday. I will do my best to get another US  
6        Attorney here.

7                THE COURT: Okay.

8                MR. TIM MOORE: Your Honor, on behalf of Mr.  
9        Rogers I talked to probation, they indicated Monday  
10       they could have the report done, so. If we could do  
11       it, if that's the earliest we could do it...

12               THE COURT: Well, any earlier would be right  
13       now, I guess.

14               MR. TIM MOORE: Well, I'm not sure  
15       probation's, if they can have the report ready this  
16       afternoon?

17               UNKNOWN: We can have it ready this afternoon  
18       (inaudible)...

19               THE COURT: What's your position, Ms. Hebets?

20               MS. HEBETS: I don't mind doing it this  
21       afternoon. I'll have to, it affects my schedule but  
22       I'm happy to do what The Court needs me to do.

23               THE COURT: Well, I'm not trying to ram it  
24       down anybody's throat. I'm just trying to see what  
25       we've got to work with.

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1 MS. HEBETS: It would be easier to do it next  
2 week.

3 MR. MOORE: We'd rather do it this afternoon,  
4 Your Honor. The earlier the better and I've got a  
5 Change of Plea with Judge Greer first thing Monday  
6 morning. I'm subpoenaed for a Post-Conviction over in  
7 Cocke County for all week next week anyhow.

8 THE COURT: Well, of course I'm going to have  
9 more than Monday available, that's just one day I've  
10 got available. I've got most of Tuesday available.  
11 Well, I've got...

12 MR. RASNIC: Your Honor, this is Joe Rasnic.  
13 Tuesday is the only day that I am available next week.  
14 So Tuesday afternoon would work for me if that suits  
15 The Court.

16 THE COURT: Hold on. Keep that thought.  
17 Alright. Here's what I've got. All day Monday,  
18 Tuesday from, the window between ten o'clock and 1:30.

19 UNKNOWN: I'm available then, Your Honor.

20 THE COURT: I'm just, nobody tell me what  
21 they got available. I got enough trouble knowing what  
22 I got available. Wednesday afternoon meaning 1:30  
23 onward, and Thursday I got the window between, well ten  
24 o'clock through the rest of that day. Okay? So let's  
25 see here?

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1 MR. BLACKWELL: Your Honor, it's Guy  
2 Blackwell. Can I ask a couple of questions that may  
3 help?

4 THE COURT: Yes, Sir.

5 MR. BLACKWELL: First question is since there  
6 are Defendants apparently in custody that are not there  
7 and one Defendant that is not in custody is not there,  
8 will the indictments be (inaudible)?

9 THE COURT: I don't know.

10 MS. HEBETS: No, not until the...

11 THE COURT: No.

12 MS. HEBETS: ...last Defendant is arrested.

13 MR. BLACKWELL: Okay.

14 THE COURT: Apparently we got somebody that's  
15 out that's out that's not ready.

16 MR. BLACKWELL: And the second question would  
17 be on the Pre-Trial Services Reports, those of us that  
18 aren't physically there obviously it's going to make a  
19 difference to see the criminal history and some of the  
20 background in deciding whether we need a Hearing, what  
21 position can be made to get those Pre-Trial Reports to  
22 us hopefully today?

23 OFFICER: May I approach the bench, Sir?

24 THE COURT: Officer Dedrick is headed toward  
25 the microphone.

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1                   OFFICER DEDRICK: No, Sir, I would like to  
2 head to you if it's okay?

3                   THE COURT: Oh, you're heading to me.

4                   OFFICER: Please, Sir?

5                   THE COURT: Alright. Mr. Blackwell, Officer  
6 Dedrick advises me to advise you that your client has  
7 no criminal history showing on NCIC.

8                   MR. BLACKWELL: Okay. Thanks, Your Honor.

9                   THE COURT: You're welcome. Attorneys, those  
10 of you that represent Sharp, Roberts, Cox and  
11 Tullock...

12                   MS. HEBETS: Your Honor, we're available  
13 either Wednesday afternoon or any time Thursday.

14                   THE COURT: What about today?

15                   UNKNOWN: Today? I don't think we can do  
16 today.

17                   THE COURT: Alright. That takes off Mr.  
18 Sharp. What about Roberts, Cox and Phillips? I'm just  
19 asking, this a suggestion of Officer Dedrick.

20                   MR. REACH: Your Honor, I possibly could do  
21 it later this afternoon. I have got to go to Claiborne  
22 County and come back then Tuesday is the only other day  
23 I could do it.

24                   THE COURT: Well, let's see, what about  
25 Tuesday at ten o'clock?

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1 MR. REACH: That will be fine, Your Honor.

2 THE COURT: So Mr. Tullock's Detention  
3 Hearing is Tuesday at ten o'clock. Mr. Cox, who  
4 represents Mr. Cox?

5 MR. BLACKWELL: Your Honor, it's Guy  
6 Blackwell again, I do, I could do it any time on  
7 Monday, well, actually any time afternoon on Monday.

8 THE COURT: 1:30?

9 MR. BLACKWELL: Yes, Sir. That's fine.

10 MR. FAIRCHILD: Your Honor, Jefferson  
11 Fairchild for Ms. Roberts, Monday at 1:30 would work  
12 with my schedule.

13 THE COURT: Alright. Let's see, Mr. Mohr, as  
14 far as Mr. Sharp is concerned, what did you suggest?

15 MS. MOHR: (Inaudible), Your Honor, looking  
16 again we could do Monday at 1:30 also.

17 THE COURT: We made the offer Officer  
18 Dedrick, that's all we can do. Okay, Detention  
19 Hearings for Cox, Roberts, Sharp, 1:30 on Monday. For  
20 Tullock, 10:00 on Tuesday. Let's see. What about Mr.  
21 Black, Ms. Waters?

22 MS. WATERS: Your Honor, I'm available on  
23 Monday morning.

24 THE COURT: Nine o'clock?

25 MS. WATERS: At nine o'clock.

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1 THE COURT: Alright. Let's see, Mr. Moore,  
2 what about Mr. Rogers?

3 MR. MOORE: I understand we could do it this  
4 afternoon.

5 UNKNOWN: (inaudible).

6 THE COURT: Ms. Hebets?

7 MS. HEBETS: Your Honor, again it conflicts  
8 with something I'm supposed to be doing this afternoon  
9 but I will be here and do it if that's the best date  
10 that works for that Defendant.

11 THE COURT: Okay. Thank you. Let's just do  
12 it this afternoon then, one o'clock. (Inaudible).  
13 Alright. Mr. Rasnic, on behalf of Mr. Loveday?

14 MR. RASNIC: Your Honor, I can do Monday  
15 afternoon if that's still available.

16 THE COURT: It's, we just maxed it out.

17 MR. RASNIC: Well...

18 THE COURT: I don't, that's what I say,  
19 you're the last one. Anybody else in this room have to  
20 have Monday afternoon? Okay. Monday afternoon it is  
21 Mr. Rasnic.

22 MR. RASNIC: Thank you, Your Honor, what time  
23 would that be?

24 THE COURT: 1:30.

25 MR. RASNIC: Alright. Thank you, Sir.

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1 THE COURT: Okay. What about Mr. Richardson,  
2 Ms. Jelovsek?

3 MS. JELOVSEK: Your Honor, I, Tuesday any of  
4 (inaudible) you said or Thursday morning at 10:00.

5 THE COURT: I had a little bit of difficulty  
6 understanding you, say again?

7 MS. JELOVSEK: Tuesday any time or Thursday  
8 morning at 10:00.

9 THE COURT: What about Tuesday at 1:30?

10 MS. JELOVSEK: That's fine.

11 THE COURT: Mr. Bolton, what about Mr.  
12 Langford?

13 MR. BOLTON: What was my options again, Your  
14 Honor, for Mr. Langford?

15 THE COURT: Monday morning, Tuesday morning  
16 and Tuesday afternoon, Wednesday afternoon, Thursday  
17 morning and afternoon.

18 MR. BOLTON: Thursday morning would be ideal,  
19 Your Honor.

20 THE COURT: Thursday morning would be ideal.  
21 So ten o'clock?

22 MR. BOLTON: Thank you.

23 THE COURT: That's ten o'clock on Thursday.  
24 Mr. Dickert, what about Mr. Parker?

25 MR. DICKERT: Tuesday afternoon if that's

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1 available?

2 THE COURT: It is. And Jayson Cox...

3 MR. DICKERT: Is that 1:30, Your Honor?

4 THE COURT: ...is set, 1:30 on Monday. I'm  
5 sorry? 1:30, Yes, Sir.

6 MR. DICKERT: 1:30 Tuesday, right?

7 THE COURT: 1:30 on Tuesday. Okay. Let me  
8 see, Mr. Loveday, Sr., is at 1:30 on Monday so now  
9 we're talking about Mr. Loveday, Jr.

10 MR. FABUS: Tuesday at 1:30.

11 THE COURT: What did you say Mr. Fabus?

12 MR. FABUS: Tuesday at 1:30.

13 THE COURT: Thank you. Mr. Sears, what about  
14 Mr. Bridges?

15 MR. SEARS: Wednesday afternoon, Thursday or  
16 Friday, Your Honor.

17 THE COURT: Friday is not even available.  
18 What was your other choice?

19 MR. SEARS: Wednesday afternoon or Thursday,  
20 Your Honor.

21 THE COURT: What about Wednesday afternoon?

22 MR. SEARS: ...Your Honor, 1:30?

23 THE COURT: 1:30. Mr. Martin, what about...

24 MR. MARTIN: May it be set for Thursday at 10  
25 o'clock, Your Honor?

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1 THE COURT: That will be fine.

2 MR. MARTIN: Thank you, Your Honor.

3 THE COURT: Alright. What about Ms.  
4 Montanaro, Mr. Spurrell?

5 MR. SPURRELL: As early as possible, Your  
6 Honor.

7 THE COURT: That would be Monday morning at  
8 nine o'clock.

9 MR. SPURRELL: If that works with your  
10 schedule, Your Honor, it works with mine.

11 THE COURT: It does. Brandon Miller, Mr.  
12 Hanor?

13 MR. HANOR: Your Honor, I'm available Monday  
14 morning.

15 THE COURT: Monday morning nine o'clock. Mr.  
16 Tullock is set for Tuesday morning at ten o'clock.

17 UNKNOWN: Your Honor, I didn't realize Monday  
18 morning was open, can you bump me to Monday morning  
19 (inaudible)?

20 THE COURT: Say it again?

21 UNKNOWN: I didn't realize Monday morning was  
22 still open, I thought Monday had closed out. Can you  
23 bump, can you move me from 1:30 on Wednesday to Monday  
24 morning?

25 THE COURT: Yes, Sir.

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1 UNKNOWN: Thank you.

2 THE COURT: Alright. Let's check all these  
3 lawyer, all these? Monday morning at 9:00 o'clock,  
4 Black, Montanaro, Miller and Bridges. Monday afternoon  
5 at 1:30, Cox, Roberts, Sharp, Loveday, Sr. Tuesday at  
6 10:00, Tullock. Tuesday at 1:30, Richardson, Parker,  
7 Loveday, Jr. Wednesday afternoon 1:30, nobody.  
8 Thursday at 10:00 Langford and Miller. That it? Any  
9 corrections, additions, deletions? Alright.  
10 (Inaudible).

11 MR. MOORE: Your Honor, may I approach?

12 THE COURT: Yes, Sir. Ms. Hebets?

13 MS. HEBETS: Yes, Your Honor?

14 THE COURT: Okay. Oh, my goodness.  
15 Alright.

16 UNKNOWN: Your Honor, I have one final  
17 question. Does the US Attorney's Office know if this  
18 is going to be superceded at some point (inaudible)...?

19 THE COURT: I'll let Ms. Hebets answer that  
20 question for you privately. I don't need to know it  
21 right now. The lawyers, with respect to these  
22 Detention Hearings, if you, after consulting with your  
23 client and reviewing the Pre-Trial Report and  
24 recommendation of the United State Probation Office  
25 determine that waiver of a Detention Hearing is an

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1 appropriate thing to do, please let my office and the  
2 Clerk's office know ASAP. Save the Marshals, if nobody  
3 else, a lot of trouble.

4 OFFICER DEDRICK: (Inaudible).

5 THE COURT: Officer Dedrick just told me that  
6 if any of you would like to call the probation office  
7 this afternoon they would be glad to discuss with you  
8 criminal history and other salient information in that  
9 regard. Do it this, well, (inaudible) Casey Seals so  
10 ACF will accomplish nothing as far as filing a waiver.  
11 (Inaudible). Well, I prefer a phone call. If you do  
12 elect to waive the Hearing call, please? Would you all  
13 do that for us, please?

14  
15 (ALL ATTORNEYS ANSWERED YES)

16  
17 THE COURT: Thank you. I've got, (inaudible)  
18 these (inaudible) prepare orders on. Alright.  
19 Lawyers, anybody, any questions?

20 MR. MARTIN: Your Honor, Charles Martin.

21 THE COURT: Yes, Sir.

22 MR. MARTIN: What is the case number, please?

23 THE COURT: 11-CR-81.

24 MR. MARTIN: Thank you, Your Honor.

25 THE COURT: Anything else?

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1 MR. MARTIN: No, Sir.

2 THE COURT: Okay. If there's nothing else  
3 let's stand in recess until 11:30.

4 CLERK: All rise. The Court stands in  
5 recess.

6  
7  
8 THIS CONCLUDES THE INITIAL APPEARANCE & ARRAIGNMENT AS  
9 PRESENTED IN THIS MATTER  
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## CERTIFICATE

I, C.D. Neal, Notary Public and Court Reporter, hereby certify that the foregoing is a true and complete transcript of the Initial Appearance & Arraignment as heard in the aforementioned case on the 16th of September, 2011.

WITNESS my hand and official seal at office at Gray, Tennessee, this the 6th of February, 2013.

By: 

NOTARY PUBLIC



My Commission Expires: October 24, 2016

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